



**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

JONATHAN LEE RICHES,)

Plaintiff,)

v.)

Civil Action No. 3:09CV439-HEH

ROBERT ALLEN STANFORD, *et al.*,)

Defendants.)

MEMORANDUM ORDER

Jonathan Lee Riches, a federal inmate, submitted this action and requested leave to proceed *in forma pauperis*.¹ A prisoner is prohibited from proceeding *in forma pauperis*:

[I]f the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

28 U.S.C. § 1915(g). Riches has at least three actions or appeals that were dismissed as frivolous, malicious, or for failure to state a claim upon which relief could be granted.

See Riches v. Karpinski, Nos. 3:08cv00347, 3:08cv00346, 2008 WL 2564785, at *1–2

(W.D. Wis. June 25, 2008). The delusional nature of Riches's current complaint and his history of frivolous filings demonstrate that Riches is not in imminent danger of serious

¹ On his submission, Riches listed himself as a defendant. Because it is apparent to this Court from its prior processing of Riches's submissions that he is the individual who instigated the present action, the Court has listed Riches as the Plaintiff. For example, the complaint came from the prison where Riches currently is confined.

physical harm. *Id.* (noting, in Plaintiff's 1,834th lawsuit, that his allegations of imminent harm carried no weight). Accordingly, it is ORDERED that:

1. The Clerk is DIRECTED to alter the docket to reflect that Riches is the Plaintiff for the present action.
2. Riches's request to proceed *in forma pauperis* is DENIED.
3. Riches is DIRECTED to pay the full \$350.00 filing fee within eleven (11) days of the date of entry hereof.

The Clerk is DIRECTED to send a copy of the Memorandum Order to Plaintiff.

It is so ORDERED.

<p><u><i>H</i></u> <u><i>/s/</i></u> Henry E. Hudson United States District Judge</p>

Date: Aug 7, 2009
Richmond, Virginia